

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

OCT 23 AM 10:24
U.S. DISTRICT COURT
N.D. OF ALABAMA

DERRICK THOMAS, TIM AVERY,
KEDRIC HOOKS, ROBERT SMITH,
and ROBERT VASSER,

Plaintiffs,

v.

HEALTHSOUTH CORPORATION,

Defendant.

CIVIL ACTION NO. 02-JEO-0565-S

ENTERED

OCT 23 2003

MEMORANDUM OF OPINION

The court has considered the entire file in this action together with the Magistrate Judge's Report and Recommendation and has reached an independent conclusion that the Magistrate Judge's Report and Recommendation (doc. 18) is due to be adopted and approved. The court hereby adopts and approves the findings and recommendation of the magistrate judge as the findings and conclusions of the court. In accord with the recommendation, the motion to withdraw attorneys Gregory O. Wiggins and Kevin Jent (doc. 16) is deemed to be moot and the motion to dismiss (doc. 15) is due to be granted as to plaintiff Hooks and is due to be denied as to plaintiff Vasser. An appropriate order will be entered.

DONE, this 23rd day of October, 2003.


ROBERT B. PROPST
SENIOR UNITED STATES DISTRICT JUDGE

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